

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KENNETH M. KRY'S and CHRISTOPHER
STRIDE, as JOINT OFFICIAL LIQUIDATORS
of SPHINX LTD., SPHINX STRATEGY FUND
LTD.;
SPHINX PLUS SPC LTD., SPHINX
DISTRESSED LTD., SPHINX MERGER
ARBITRAGE LTD., SPHINX SPECIAL
SITUATIONS LTD., SPHINX MACRO LTD.;
SPHINX LONG/SHORT EQUITY LTD.;
SPHINX MANAGED FUTURES LTD.; SPHINX
EQUITY MARKET NEUTRAL LTD.; SPHINX
CONVERTIBLE ARBITRAGE LTD.; SPHINX
FIXED INCOME ARBITRAGE LTD.; SPHINX
DISTRESSED FUND SPC; SPHINX MERGER
ARBITRAGE FUND SPC; SPHINX SPECIAL
SITUATIONS FUND SPC; SPHINX MACRO
FUND SPC; SPHINX LONG/SHORT EQUITY
FUND SPC; SPHINX MANAGED FUTURES
FUND SPC; SPHINX EQUITY MARKET
NEUTRAL FUND SPC; SPHINX
CONVERTIBLE ARBITRAGE FUND SPC;
SPHINX FIXED INCOME ARBITRAGE FUND
SPC; PLUSFUNDS MANAGED ACCESS FUND
SPC LTD.; KENNETH M. KRY'S and
CHRISTOPHER STRIDE as assignees of claims
assigned by MIAMI CHILDREN'S HOSPITAL
FOUNDATION, OFI, GREEN & SMITH
INVESTMENT MANAGEMENT LLC, THALES
FUND MANAGEMENT LLC, KELLNER
DILEO & CO., LLC, MARTINGALE ASSET
MANAGEMENT LP, LONGACRE FUND
MANAGEMENT LLC, ARNHOLD & S.
BLEICHROEDER ADVISERS LLC, PICTET &
CIE, RGA AMERICA REINSURANCE
COMPANY, DEUTSCHE BANK (SUISSE) SA,
ARAB MONETARY FUND, HANSARD
INTERNATIONAL LTD., CONCORDIA
ADVISORS LLC, GABELLI SECURITIES, INC.,
CITCO GLOBAL CUSTODY; and JAMES
P. SINCLAIR as Trustee of the SPHINX TRUST,

Plaintiffs,

Index No. 08 CV 3086

NOTICE OF JOINDER IN
REMOVAL OF ACTION
PURSUANT TO
28 U.S.C. § 1452

- against -

CHRISTOPHER SUGRUE; MARK
 KAVANAGH; BRIAN OWENS;
 PRICEWATERHOUSECOOPERS L.L.P.; MARI
 FERRIS; PRICEWATERHOUSECOOPERS
 CAYMAN ISLANDS; GIBSON, DUNN &
 CRUTCHER LLP; REFCO ALTERNATIVE
 INVESTMENTS LLC; GRANT THORNTON
 LLP; MARK RAMLER; ERNST & YOUNG U.S.
 LLP; MAYER BROWN LLP f/k/a MAYER
 BROWN ROWE & MAW LLP; JOSEPH
 COLLINS; EDWARD S. BEST; PAUL KOURY;
 PHILLIP R. BENNETT; ROBERT C. TROSTEN;
 TONE GRANT; SANTO MAGGIO; THOMAS
 HACKL; DENNIS KLEJNA; BAWAG P.S.K.
 BANK FUR ARBEIT UND WIRTSCHAFT UND
 OSTERREICHISCHE POSTPARKASSE
 AKTIENGESELLSCHAFT; JP MORGAN
 CHASE & CO.;
 CREDIT SUISSE SECURITIES
 (USA) LLC f/k/a CREDIT SUISSE FIRST
 BOSTON LLC; BANC OF AMERICA
 SECURITIES LLC; THOMAS H. LEE
 PARTNERS, L.P.; THOMAS H. LEE
 ADVISORS, LLC; THL MANAGERS V, LLC;
 THL EQUITY ADVISORS V, L.P.; THOMAS H.
 LEE EQUITY FUND V, L.P.; THOMAS H. LEE
 PARALLEL FUND V, L.P.; THOMAS H. LEE
 EQUITY (CAYMAN) FUND V, L.P.; THOMAS
 H. LEE INVESTORS LIMITED PARTNERSHIP;
 1997 THOMAS H. LEE NOMINEE TRUST;
 THOMAS H. LEE; DAVID V. HARKINS;
 SCOTT L. JAECKEL; SCOTT A. SCHOEN;
 WILLIAM T. PIGOTT; LIBERTY CORNER
 CAPITAL STRATEGIES, LLC; EMF
 FINANCIAL PRODUCTS LLC; EMF CORE
 FUND LTD.; DELTA FLYER FUND LLC; ERIC
 M. FLANAGAN; INGRAM MICRO, INC.; CIM
 VENTURES, INC.; BECKENHAM TRADING
 CO., INC.; ANDREW KRIEGER; COAST
 ASSET MANAGEMENT, LLC, f/k/a COAST
 ASSET MANAGEMENT LP; CS LAND
 MANAGEMENT LLC; CHRISTOPHER
 PETTIT; and REFCO GROUP HOLDINGS,
 INC.; and REFCO ASSOCIATES, INC.,

Defendants. :
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TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that, on this date, defendant Dennis J. Klejna (“Klejna”) joins in the Notice of Removal Pursuant to 28 U.S.C. § 1452 filed by defendants JP Morgan & Co.; Credit Suisse Securities (USA) (formerly Credit Suisse First Boston LLC); Banc of America Securities LLC; Grant Thornton LLP; Mark Ramler; Mayer Brown LLP; Mayer Brown International LLP; Thomas H. Lee Partners, L.P.; Thomas H. Lee Advisors, LLC; THL Managers V, LLC; THL Equity Advisors V, L.P.; Thomas H. Lee Equity Fund V, L.P.; Thomas H. Lee Parallel Fund V, L.P.; Thomas H. Lee (Cayman) Fund V, L.P.; Thomas H. Lee Investors Limited Partnership; 1997 Thomas H. Lee Nominee Trust; Thomas H. Lee; David V. Harkins; Scott L. Jaeckel; Scott A. Schoen; PricewaterhouseCoopers LLP; and Mari Ferris on March 26, 2008 (the “Notice”), which removed this entire action from the Supreme Court of the State of New York to the United States District Court for the Southern District of New York, for the reasons set forth in the Notice. As set forth in the Notice, this Court has original jurisdiction over the matter pursuant to 28 U.S.C. § 1334(b).

Klejna has filed this Joinder within 30 days of his receipt, through service or otherwise, of a copy of the initial pleading in accordance with 28 U.S.C. § 1446(b) and Fed. R. Bankr. P. 9027 (a)(3). Klejna received, through service or otherwise, a copy of the initial pleading no earlier than March 13, 2008.

Klejna will promptly serve a copy of this Joinder on counsel for Plaintiffs and file a copy of the Joinder with the Clerk of the New York State Court in accordance with the terms of 28

U.S.C. § 1446 (d) and Fed. R. Bankr. 9027 (b) and (c). A true and correct copy of the Certificate of Service for the Joinder is attached hereto.

WHEREFORE, Klejna respectfully requests that this Court accept this Joinder and grant him such other and further relief as the Court deems just and proper.

Dated: April 3, 2008

KATTEN MUCHIN ROSENMAN LLP

By: 

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Attorneys for Defendant
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STATE OF NEW YORK)
 : ss.: AFFIDAVIT OF SERVICE BY MAIL
COUNTY OF NEW YORK)

JULIAN SANTOS, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and am employed by the firm of Katten Muchin Rosenman LLP.

2. On the 3rd day of April, 2008, I served the annexed **NOTICE OF JOINDER IN REMOVAL OF ACTION PURSUANT TO 28 U.S.C. § 1452** in this action, upon the following at the addresses indicated, by depositing a true copy thereof, enclosed in properly addressed postpaid wrappers marked first class mail, in an official depository of the United States Postal Service within the State of New York:

[See Service List]

Sworn to before me this
3rd day of April, 2008


Notary Public

DARIEN PEREYRA
NOTARY PUBLIC, State of New York
No. 01PE6175245
Qualified in New York County
Commission Expires October 09, 2011


JULIAN SANTOS

SERVICE LIST

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